

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

LEAGUE OF CONSERVATION VOTERS *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP *et al.*,

Defendants

AMERICAN PETROLEUM INSTITUTE and STATE OF
ALASKA,

Intervenor-Defendants.

Case No. 3:17-cv-00101-SLG

DECLARATION OF MICHAEL WALD

I, Michael Wald, declare as follows:

1. I am currently a member of the Natural Resources Defense Council, and have been for many years.
2. I live in Haines, Alaska. I have lived in Alaska since 1995. I moved to Alaska to be close to the natural beauty and bounty of the Arctic.
3. I am a co-owner and managing partner of Arctic Wild LLC, an Alaska-based business specializing in adventure and nature tours in Arctic Alaska. In addition to administrative duties, I serve as a guide and a naturalist for our trips. My livelihood depends on the wild character of the Alaskan Arctic, including the Arctic Ocean, and the health of marine mammal populations, that both I and my clients hope to observe on guided trips.
4. I have a strong personal interest in natural history and science. In addition to guiding, I have worked as a high school science teacher and have conducted field research for the National Park Service and for the North Slope Borough in the American Arctic.

5. I have visited various parts of the Alaskan Arctic since 1991. As detailed below, I have taken multiple personal and professional trips to observe marine mammals—including in the Chukchi and Bering Seas, as well as adjacent coastal areas. I have experienced these regions from the water, land, ice, and air. Through my experiences, I have learned to value, respect, and love the Arctic and its natural and cultural treasures.

6. In the past, Arctic Wild has operated trips to the Arctic Ocean during summer months to view marine mammals. For example, in August 2008 I personally guided a trip to the Chukchi Sea specifically for the purpose of observing walruses. We also led tours to observe beluga whales on the Chukchi Coast in 2015.

7. In 2018 and 2019, Arctic Wild has numerous trips scheduled that will start or finish along the Arctic Ocean coast, including a trip in 2018 that is specifically designed to observe seals, belugas, and other whales along the Chukchi Sea coast.

8. On account of my personal and professional interests, I have serious concerns about the effect oil and gas exploration activities in the Chukchi and Beaufort Seas would have on marine mammals throughout the Arctic. My concerns include oil spills, increased ocean noise, disturbances caused by vessel and air traffic, climate change, and consequently, negative impacts on marine mammals, on my enjoyment of wildlife populations, and on my livelihood.

9. While I am concerned about disturbance impacts to marine and coastal wildlife from any oil and gas exploration or development of the U.S. Arctic Ocean, I especially worry about the risks that an oil spill would pose to Pacific walruses, ringed seals, polar bears, and other Arctic marine mammals. Oil spills are a common occurrence in arctic Alaska. To my knowledge spill response tests in the Arctic Ocean have been spectacular failures and the industry showed its total lack of preparation for drilling in the Chukchi during 2012 with a string

of embarrassing failures, including groundings of ships and 8 felony counts against drilling contractors. I try to imagine how an oil spill clean-up effort would work even during summer when the weather is relatively benign. What would the combination of oil, dispersants, and traffic—a beehive of activity and toxicity—do to the marine mammals that rely on the area for their summer habitat? The Arctic summer is short and unforgiving and marine mammals have certain places that they need to be at certain times of the year. I fear that an unmitigated or poorly mitigated oil spill in the Chukchi Sea could have devastating impacts on the wildlife, the Arctic's overall ecological integrity, and my interests there.

10. My livelihood as a tour guide depends in part on the continued viability of marine mammals. As a result, I am concerned that oil and gas exploration activities in the Beaufort or Chukchi Seas will adversely affect my livelihood through impacts to mammals raised there that are observed by Arctic Wild-led tour groups. Arctic Wild's clients sign up for costly, week-long expeditions in part because I can tell them with confidence that they are likely to see good numbers of marine mammals.

11. My concerns regarding oil and gas exploration in the Chukchi Sea extends beyond observed changes to perceived changes as well. Obviously I am concerned about the realities of the exploration activities and the potential for huge ecological damage to the Chukchi Sea and the marine mammal populations that rely on it. But the mere presence of oil and gas exploration can also be detrimental to my business. If people think that a place is tainted by oil and gas development, they will be less likely to want to visit or recreate in the area. Perceptions like that can stick with and affect people for a long time.

12. My concerns about oil and gas exploration in the Arctic Ocean are also deeply personal. While I do not live year-round on the Arctic coast, the Chukchi and Beaufort Seas and

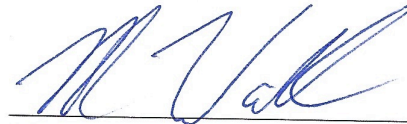
their marine wildlife are indeed part of my daily life. Whenever we receive traditional foods from our friends up north, we serve them with great pride. Artwork and pictures from the region fill our home. Even my young sons talk about whales and ask to hear a recording I have from hydrophones suspended in the Chukchi Sea. I regularly talk with friends along the Arctic coast and always we discuss the ice and the animals which live on and below it. To us these are not abstractions of wilderness or simply study subjects. The life and health of the Arctic is part of the very fabric of my life, intellectually, professionally, and emotionally. The ocean there and its wildlife may seem very remote and perhaps irrelevant to most but they could not be more relevant to me.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Dated: _____

6/4/18

By: _____



Michael Wald